The
REPORTER
For Conscience' Sake

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CO Positions Described In New Pamphlet

An excellent new pamphlet has been published by the Friends Peace Committee in which the three positions generally taken by conscientious objectors are described by three COs who have themselves taken the position they describe. The three positions are the I-A-O classification (noncombatant service), the I-O classification (civilian service), and the nonregistrant.

The purpose of the pamphlet, according to the introductory statement by J. Barton Harrison, is to present "a background against which individuals, whether or not faced with conscription, can make informed decisions about conscientious objection." The pamphlet recognizes that other COs taking the same positions might express themselves differently, but the force of the pamphlet is probably precisely in the fact that each of the three individuals speaks from his own convictions and experience.

Cecil Currey, who completed his army duty in the medical service in May, 1955, states that "the noncombatant position is perhaps the easiest position for a young conscientious objector to take." Currey found many opportunities to witness to his pacifist faith while in the army. However, he also discovered that "there are disadvantages inherent in one's work as a 'Christian' soldier. To the draft boards and to the army, one soldier is much like another."

David Kinsey, a CO who chose civilian service with the American Friends Service Committee on a project in Israel, begins with the assumption that "civilian service is an integral part of the conscientious objector's life-long witness". He concluded that since our government and society is completely involved in military preparation that he should make

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Government Challenged On Naturalization of COs

The position of the government in insisting that COs desiring to be naturalized must be willing to work in defense plants is being challenged in the courts and in Senate hearings. The Immigation and Nationality Act of 1952 provides for an alternate oath for those conscientiously opposed to combatant and non-combatant military service. Persons taking this oath promise to perform "work of national importance under civilian direction", but the Immigration and Nationalization Service has recommended against the naturalization of any CO who would not agree that "work of national importance" should also include work of military nature.

Important Court Decision Rules For CO, Against Government

On November 18, 1955, Judge Joseph Smith, in the United States District Court, at Hartford, Connecticut, granted citizenship to Rev. Theodore Leidenfrost. The Immigration and Naturalization Service had recommended denial of the petition for naturalization because Leidenfrost, a minister of The United Lutheran Church, would not promise to work in the production of implements of war.

Leidenfrost's attorney, Robert Satter, of Hartford, argued that the interpretation of the law by the Naturalization Service virtually excluded all pacifists from citizenship. He also pointed out that the policy of the government not to require conscientious objectors to do military work was well known by Congress at the time the 1952 Act was passed and must have been intended to be continued after the Act was in effect.

Th conflict between the Naturalization Service and Selective Service on this point was also noted. COs seeking the I-O classification by Selective Service are considered insincere if they work in a de-

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SEND CHRISTMAS CARDS TO COs IN PRISON

Each year many individuals interested in COs send Christmas cards to conscientious objectors in prison. The cards should list the sender's name and address but no personal message can be included.

The number of COs in prison this Christmas is less than anytime in the past five years. The names and addresses of the men to whom Christmas cards may be sent are listed below. The cards should be individually addressed.

John Bendik, Federal Detention Headquarters, West Street, New York City, New York.

Enos Yoder, Levi Lehman, Abraham Bontrager, Federal Prison Camp, Mill Point, West Virginia.

James Francy, Federal Prison Camp, Tucson, Arizona.

Clarence Bryan, John Forbes, Medical Center for Federal Prisoners, Springfield, Missouri.

Thomas Tamblyn, Federal Correctional Institution, Tallahassee, Florida.

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NEW PAMPHLET ON COs

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his witness at the point of refusing to do military service. He found in civilian service an opportunity for a constructive witness through projects which help build the solid foundations of peace by the demonstration of love and bringing about better human understanding.

Stephen Simon describes the nonregistrant position from a background of having spent two terms in prison because of his refusal to cooperate with Selective Service. Simon feels that "a conscientious objector, operating within the Selective Service law, is still a part of the total picture of the preparation for war." Therefore he felt led to refuse to cooperate with a law which violated his conscience. However, he points out that "to be most effective, the nonregistrant stand must rise out of a way of life in which a seemingly negative attitude actually is a confirmation of a well-integrated spirit." Simon also discovered that a prison experience can actually prove worthwhile in many ways.

Many readers of this pamphlet will be especially impressed by the sincere and profound religious basis on which each of the three COs depends for the ultimate reason for his choice. Typical is the testimony of Stephen Simon. "I found that I could not make the final decision myself. I left it in God's hands, and I believe the answer I received was God's will. Since then I have been clear in my mind that taking any part in the military rgime is contrary to the life God wants me to lead."

Single copies of the pamphlet, entitled "Positions of Conscientious Objectors", may be obtained free from NSBRO. Quantities are available at $2.00 per hundred, postpaid, from the Friends Peace Committee, 1520 Race Street, Philadelphia 2, Pennsylvania.

844 REGISTER AS COs IN BRITAIN IN 1954

According to the annual report of the Central Board for Conscientious Objectors, there were 844 registered conscientious objectors among the 300,000 who registered under the National Service Acts in 1954. The local tribunals, British equivalent of American local boards, considered 805 applications and decided their cases as follows:

Unconditional registration	23
Registered for civil work	320
Registered for noncombatant duties	180
Dismissed	282

The 23 COs granted unconditional registration were exempted from service of any kind, a position not recognized in the United States.

The Central Board for Conscientious Objectors in England is very similar to NSBRO in several ways: It is composed of representatives from groups whose members may be conscientious objectors or which have a special interest in COs, it does not "undertake propaganda", but "offers advice and information to any man whose conscience leads him to resist conscription for war."

I-W ORIENTATION COURSES SOUGHT BY MENNONITES

The Mennonite Central Committee is considering a proposal which would give their I-W men an optional Orientation course pertaining to the various aspects of Alternative Service work.

The following objectives of the proposed program were formulated:

To help the men sense the importance of I-W work;

To help prepare I-Ws for the challenges and problems they will meet.

To evaluate the abilities of prospective I-Ws and assist them in choosing their jobs wisely;

To provide an experience that will prepare men for unit life.

Numerous evidences that I-W men would profit from better preparation for I-W service prompted MCC representatives to propose that the first course begin with the first I-W men to enter work in 1956.

Several Orientation schools would be set up, although the Mennonites would still rely heavily on the continued use of local church programs and literature distribution to 18-year-olds in an all out effort to acquaint them with the I-W program.

British CO Tells of Communist Youth Reaction To Pacifist Position

The first East-West work camp held since the beginning of the Cold War was held in Warsaw, Poland early in August, and was attended by both communist and western work campers.

Among the westerners was Roger Hadley, who presented the pacifist position to the communist youth. Their first impression of the principle of conscientious objection Hadley said, was one of inquisitiveness. They at first were "rather puzzled by the idea but they later decided that it could be a good thing for capitalist countries but of course they would not have any of it in the Peoples Democracies.'" Military service, they told us, was regarded as a "duty and an honor."

Brethren Sociologist Studies Factors in CO Decision

A Manchester College professor claims that "the religion of one's parents tends to be more decisive than of one's mate" in reference to the CO stand in the Church of the Brethren.

Dr. Donald Royer, recently receiving his Ph. D. from the University of Chicago, is Professor of Sociology at Manchester College, North Manchester, Indiana, a Church of the Brethren school. The title of his 425 page dissertation was "The Acculturation Process and the Peace Doctrine of the Church of the Brethren."

Among the conclusions of his thesis were indications that those churches who give the most support to the conscientious objector position are the ones located close to Brethren institutions, mainly colleges. Urban congregations, largely made up of business and professional people were found to give least support to the peace doctrines of the Brethren.

Contrary to public opinion, Dr. Royer stated that college graduates tend to be more conforming to the school graduates, presumably because of the intellectual approach and focus on the issue in college discussion groups.

HEARING OFFICER DESCRIBES PROBLEM OF PROOF IN CO APPEAL PROCEEDINGS

The viewpoint of a Justice Department hearing officer concerning the problem of proof in conscientious objector appeal cases is revealed in the September, 1954 issue of the *Oklahoma Bar Association Journal.*

Hearing Officer Carl L. Shipley advises prospective I-O registrants to consult an attorney even as early as the local board negotiations if classification difficulties are encountered.

Inasmuch as the burden of proving one's sincerity about being a conscientious objector is placed directly on the registrant himself in an appeal hearing, legal counsel is helpful, especially in terms of detecting possible violations of "due process" from procedural irregularities made by Selective Service officials.

Shipley, a Special Assistant to the Attorney General, says that the problem of proving sincerity is not an amateur matter when making an appeal, as legal counsel is valuable even when there is no indictment or court case. This is so because Selective Service regulations and procedures and their analysis is sometimes a complicated matter.

"Few facts are more difficult of proof than state of mind," he says. Finding a registrant sincere in his opinion is based on three main points: (1) the registrant's record of living his beliefs in his everyday experiences; (2) the impression he gets from interviewing the registrant — if th CO is "candid and sincere" in his testimony, it is a mark in his favor; (3) the introduction of character witnesses at the hearing.

Concernig the testimony of the registrant taken by itself, Shipley says "it is by its own nature so very self-serving, that it cannot be given much weight unless corroborated by circumstances tending to reinforce its reliability."

The CO Must Prove

Shipley brings out an exacting legal distinction when he says "as a matter of general principle, a person claiming exemption from military service on conscientious grounds must prove his right thereto by clear and convincing evidence. As a usual matter, a litigant, in a civil proceeding pervails if he proves his case by a fair preponderance of the credible evidence, but in cases where a person is claiming some benefit based on an exception to a statute having general applicability, he must bring himself within the exception by 'clear and convincing evidence' ".

This rule of law prevails in the appeal hearing, Shipley asserts. Prosecution of COs for refusal of induction under a criminal indictment would require a more clear degree of evidenec than in Appeal Board hearings, i.e., "beyond a reasonabel doubt." Therefore the quantum of proof presented in Appeal cases must be at least evidence of this middle legal classification, being between civil suits and criminal cases in degree, in order to be accepted.

In conclusion Attorney Shipley states that "the bona fide conscientious objector who is sincere in his belief should have no difficulty in qualifying for exemption from military service. In each case, however, there is a problem of proofs, and conscientious objectors who fail to qualify as such can lay the blame to a lack of presenting facts from which the sincerity of their belief can be inferred with reasonable certitude. The technique of establishing proof is not amateur undertaking."

Mr. Shipley does not mention that many COs have presented facts from which their sincerity was evident, but that these facts have been misinterpreted by Justice Department or Selective Service officials.

Shipley stresses considerable emphasis on such items as frequent church attendance, membership in a church denomination with a stand on non-violence, background of family relations with pacifism; in general on religious training. He does not mention COs who claim a I-O classification through religious belief but have no record of religious training or background in backing up their claim.

Civil Defense Draft Advocated

The possibility of a Federal Civil Defense draft program has been voiced by Val Peterson, Civil Defense Administrator in a recent address in Boston.

A dispatch from the *Chicago Tribune* indicates the proposed conscription would include those above military age, and that the possibility of such a draft has already been discussed at high government levels.

"The time may come," said Peterson, "When the nation will face a draft for civil deefnse." Several Scandinavian countries already are drafting persons for civil defense work.

Senator Kefauver is reported to have mad a similar suggestion.

New York Civil Defense Trial to Be Continued December 15

The trial of the 20 pacifists who refused to take shelter in New York during the nation-wide practice air raid drill began on November 16.

The trial was marked by many irregularities. Magistrate Bushel demonstrated an obvious lack of sympathy with the pacifists and interrupted the trial numerous times.

The trial is to be continued December 15 at which time a verdict may be rendered.

NATURALIZATION OF COs

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fense plant, but the Naturalization Service insists a sincere CO must be willing to work in a defense plant.

The judge apparently had no doubt that Leidenfrost was a sincere conscientious objector. The only question was whether the law required that he be willing to do defense work. The judge concluded "that the draft act as interpreted in practice has not called for work of military type of national importance under civilian direction, and the Court feels that this petitioner can take the oath in the third alternative without qualification or reservation, as not requiring work of military type of him. . . . ."

According to NSBRO records at least 27 other cases of COs seeking citizenship are about ready for court action. It is hoped that the decision of Judge Smith in granting citizenship to Leidenfrost will cause the Naturalization Service to reverse its policy.

Problem to Be Discussed in Senate Hearings

The position of the Immigration and Naturalization in regard to the naturalization of conscientious objectors was also to be chalenged in testimony before the Senate Subcommittee on Immigration, currently holding hearings covering the whole field of immigration and naturalization policy. The Church of the Brethren, the Fellowship of Reconciliation, and the Friends Committee on National Legislation, are all scheduled to give testimony and include as part of their statements some mention of the unfair interpreation of the Immigration and Naturalization Service in regard to conscientious objectors.

NSBRO Information Release Reviews CO Naturalization Policy

NSBRO has rpepared an information release entitled "Experience of Conscientious Objectors under the Immigration and Nationality Act of 1952," which gives an objective picture of the history of Congressional intent and legislation concerning COs and naturalization.

The five page mimeo compilation is available for 5c.

MENNONITE QUESTIONNAIRE REVEALS I-W ATTITUDES

A newly-completed study of Mennonite and Brethren in Christ I-W men by J. S. Shultz, Dean emeritus of Bluffton College, has attempted to reveal the current attitudes of these conscientious objectors in relation to the Civilian Work Program.

Entitled *Evaluation of the I-W Program*, the 72 page mimeo study found that over one-half of the Mennonite men care for hospital patients, that three-fifths of them live and work in cities over 50,000 population, and that over two-thirds belong to units of ten or more. With very few exceptions the I-Ws come from a rural background.

Conscience and Wages

An interesting attitude displayed by I-Ws in the study was their opinion of "should wages be paid o rnot to COs?" To many I-Ws the matter of conscience entered into eevn this category. The breakdown of opinion was this:

Entirely in keeping with CO	432
Matter of Consicence	392
Of no relation to CO Position	326
Not in Keeping; family conditions	196
Not in Keeping with CO at all	56
No Answer	392

Personal comments of some of these men indicate a variety of different opinions regarding wages: "Regular wages has made I-W a healthy program — opportunity to live normal lives;" "All should draw the same wages;" "COs did nothing to be punished, shouldn't be paid lower wages." Dissatisfaction was expressed by the arbitrary wage discrimination policies of Kansas and Illinois against COs.

Negative opinions to wages include such comments as "living expenses should be met by wages, but I-W is not entitled to savings;" "Wages should not be the issue, rather the way we live and work;" "Work without pay adds to a COs testimony."

The CO Position

In answering the question "How would you advise your younger brother or friend to register?", 1709 Mennonite youth said I-0, 9 advised I-A-0, eight advised 1-9, one said register not at all, and 67 gave no answer. Over 95% favored the I-O position.

Some of the I-Ws commented on the need for a comprehensive orientation program for I-Ws before they go out onto their job. The program would best be administered by the Mennonite Church, and other denominations would have their own Church-sponsored orientation class.

The average age of the 1,794 persons who took the questionnaire is twenty-two years. The rural background of the Mennonites is apparent in education statistics. 37% ended schooling by completing the eighth grade (mostly Amish), 33% finished high school, 20% finished one or more years of college, and 37 persons have done graduate work.

The basic factors influencing the I-Ws toward the CO position were, in order of importance, (1) home training, (2) individual reading, study, (3) Sunday school, youth meetings, (4) minister, (5) friends, (6) school or college, (7) conferences, retreats, institues, and other miscellaneous reasons.

NEW NORWAY PROPOSAL IS TOUGHER ON COs

In a recent official Norwegian government report, several proposals designed to make it more difficult to gain recognition as a CO have been presented.

The reason for this is that "the number of those capable of service who are lost to the defense forces must be kept as low as possible."

On proposal is aimed at reducing the number of COs by stating that only religious and moral convictions should be a basis for exemption from armed service, and that other types be ruled out. The preesnt Norwegian draft law states that "serious conviction," regardless of whether it is religious, rational, moral or political is acceptable.

The varieties of unarmed service to the government would give three alternatives for COs:

(1) Noncombatant service in the armed forces in such positions as the medical corps, the educational services, etc.
(2) In Civil Defense work.
(3) In State civilian work.

The government committee has also proposed that a special jury be set up to decide cases after the local board has examined the registrant and given their opinion.

Civil Defense work is a new concept in conscription; Holland is also starting to draft men for CD. The civilian work under the State would be carried out under civilian leaders and preferably be of some use to the community.

RESERVE PROGRAM OFF TO BAD START

An experiment with teen-age volunteers under the new Reserve Forces Act is off to "a slow, costly and inefficient start," according to Correspondent Homer Bigart writing in the *New York Times*.

Only 1,200 young men volunteered out of an expected 5,000 for a "pilot group" training course which began Oct. 1 at Fort Knox, Kentucky. But the November class was even smaller. The Armored Replacement Training Center had been alerted to receive 285 men by Nov. 1; only 110 showed up. Of these, nineteen were illiterate, and the rest of the class was uncommonly scrawny and underweight, only 17 men having passed the physical qualification test.

The director of the training program, Brig. Gen. Samuel L. Myers, said that "hand-picked leaders free from court-martial records and of high moral character, and who are types who do not drin kor swear and probably will not swear in the presence of the young soldiers" make up the military hierarchy at the Center. The General emphasized that the "youths are not coddled."

The Smolderings of Conscience

A 17-year-old from Franklinville, N. Y., Conrad Songster said that he had guilt feelings at first about even touching a gun, because he had accidently killed his younger brother in a hunting accident two years ago. But now he says he has conquered his fear and is now an expert marksman on the range. Songster said, however, that—"it still bothers me."

It was his girl back home that helped him to overcome his fear, because "she prayed with me" he said.

A Chaplain with the unit, Rev. James A. Keenan, said that the 17-year-olds were not quite ready physically or emotionally for the rigors of Army life. He would prefer giving them another year at home.

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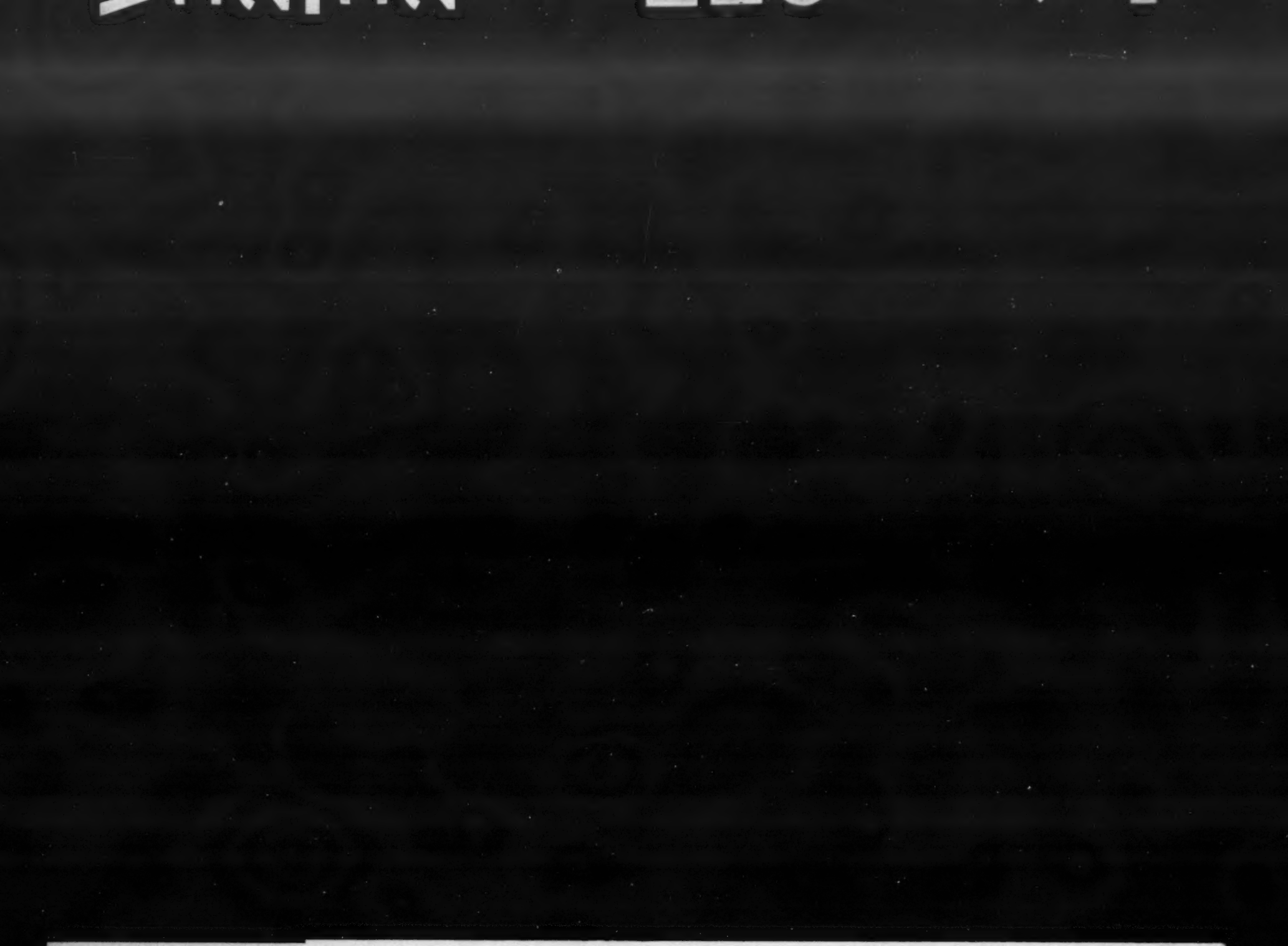
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